

## REMARKS

### STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 2, 7, 8, 10 and 15-19 have been amended. Claims 1, 2, 4-8, 10, 15-19 and 21 are pending and under consideration.

No new matter is being presented, and approval of the amended claims is respectfully requested.

### CLAIM OBJECTIONS

On pages 2-5 of the Action, claim 15 is objected to since the word "top" in line 26 should be changed to "to", as the Examiner suggests. Accordingly, claim 15 is amended herein to correct the informality.

Claims 1, 2, 7, 8, 10, 15, 16, 17 and 19 are objected to as reciting features with insufficient antecedent support. For example, the Examiner states that the phrase "the read identifier" in line 10 of claim 1 lacks sufficient antecedent support. However, "the read identifier" refers to the "reading, from the optional medium prepared by the user, the identifier...". Nevertheless, the aforementioned claims are amended herein to further clarify the features thereof.

In light of the claim amendments submitted herein, it is submitted that the objections are overcome and should be withdrawn.

### OBJECTIONS TO THE DRAWINGS

On page 5, item 18, of the Action, the Examiner states that Figs. 1 and 15 require a legend for the clear understanding of the subject matter sought to be patented. However, it is respectfully submitted that one of ordinary skill in the art would clearly understand the subject matter depicted in Figs. 1 and 15, in light of the corresponding written description.

Fig. 1, for example, shows a schematic of a contents processing system with central device 3, which stores contents to be distributed. Fig. 1 additionally shows examples of execution devices 2 of users connected to the central device by network N. Execution devices 2 are capable of displaying or executing contents of medium M when inserted in the execution devices, based on the read identifier. Finally, Fig. 1 depicts examples of recording devices 1 capable of recording contents on medium M, which are connected to the central device 3 and execution devices 2 through network N. (See also pages 12-14 of the present specification).

Fig. 15 depicts a similar schematic illustration of an embodiment of the present invention, which is clearly described on pages 41-43 of the present specification.

Therefore, it is respectfully submitted that one of ordinary skill in the art would clearly understand the subject matter depicted in Figs. 1 and 15 and, thus, no further alterations to the Drawings should be required. Reconsideration in light of the foregoing explanations is respectfully requested.

#### REJECTION UNDER 35 U.S.C. §102(e)

On pages 5-6, item 20, of the Action, the Examiner maintains the rejection of only claim 21 as being anticipated by previously-cited Yokono et al. (U.S. Patent No. 6,529,946).

Specifically, the Examiner states that Yokono teaches extracting the stored contents and encrypting the extracted contents, based on an identifier having been given uniquely to an optional medium prepared by the user and *transmitted to the recording device in advance by the user*, as newly added to independent claim 21 (citing Yokono column 23, line 8, through column 24, line 65, and column 17, lines 45-49).

However, according to the cited portion of Yokono, a user can purchase and register a disk, based on a serial number/medium number of the disk. When the user provides the disk to the downloading apparatus, the apparatus checks the disk serial number and the user identification. If the check is okay, the user is allowed to download requested content, which is then encoded on the disk.

Further, column 14, line 53, to column 15, line 3, of Yokono discusses that a download ID is recorded in the ROM area AE (or write-protected area). The download ID is a code number for identifying particular information downloaded to disk 90. The content of a medium downloadable to a disk can be specified by such a download ID.

In contrast, embodiments of the present invention are capable of both encrypting contents and recording them on a medium, as well as specifying the medium itself from the user terminal in advance by transmitting the identifier to the recording device. That is, embodiments of the present invention are capable of making a reservation through the execution device 1 by using a unique ID of a medium, given to the medium in advance. When the unique ID of the medium matches only the unique ID which has been reserved by the execution device 2, the contents can be downloaded from the recording device 1. As a result, it would not be necessary to authenticate a user himself. (See page 8, lines 7-21, and Fig. 10(A) (S105), and accompanying written description, of the present application).

Thus, it is respectfully submitted that Yokono does not teach or suggest extracting the stored contents and encrypting the extracted contents, based on an identifier having been given uniquely to an optional medium prepared by the user and *transmitted to the recording device in*

*advance by the user*, as recited in independent claim 21. That is, the identification of the medium is not transmitted in advance to the recording device by the user.

As a result, it is respectfully submitted that independent claim 21 patentably distinguishes over the prior art.

#### REJECTIONS UNDER 35 U.S.C. §103(a)

On pages 6-10, items 21-22, of the Action, claims 1, 7-8 and 16-19 are rejected as being unpatentable over newly-cited Hollar (U.S. Patent No. 7,124,114) in view of previously-cited Spruit et al. (U.S. 2001/0030932).

Regarding the rejection of independent claim 1, for example, Hollar is newly cited as disclosing transmitting from a user an identifier having been given uniquely to an optional medium prepared by the user, as newly added to independent claim 1 (citing Hollar column 8, lines 5-13).

It is submitted, however, that the Examiner may have misunderstood the disclosure of Hollar. The cited portion of Hollar discusses a distribution server system 700 for indirectly distributing A/V content 703. The consumer purchases a CD 711 through a retail outlet rather than directly from the distribution server 701. As part of the purchasing process, a retailer client 708 transmits its identification, the identification of the purchaser, and the selection of A/V content 703 requested by the purchaser to the distribution server 701. (See also, Fig. 7 of Hollar).

It appears that the Examiner has interpreted the transmission of the retailer client's 708 identification as transmission of an identifier having been given uniquely to the optional medium prepared by the user. However, the identification of the retailer client 708 clearly refers to the retail outlet at which the consumer purchases the CD 711, for example.

In other words, Hollar discusses merely a system capable of indirectly distributing content via a retail client where identification of the content and the retail client is transmitted to the distribution server. Hollar fails to teach or suggest a system capable of transmitting an identifier having been given uniquely to an optional medium prepared by the user. Thus, Hollar is incapable of providing advantages of the present invention, such as making a reservation through the execution device by using a unique ID of a medium, so that the contents can be downloaded from the recording device without requiring authentication of a user himself.

The other pending independent claims recite features similar to those of independent claim 1. Therefore, in light of the foregoing remarks, it is respectfully submitted that the independent claims, as well as the pending dependent claims, patentably distinguish over the

prior art.

On pages 10-16, item 23, of the Action, claims 2, 4-6 and 15 are rejected as being unpatentable over Yokono in view of Hollar. However, independent claims 2 and 15 recite transmitting the accepted first specifying information, second specifying information and the read identifier to the central device. Thus, independent claims 2 and 15 patentably distinguish over Yokono and Hollar for at least the reasons provided herein. Dependent claims 4-6 inherit the patentability of independent claim 2 and, thus, patentably distinguish over the prior art for at least the reasons provided above.

#### CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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